

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:24-CV-00462-M

SHANELLE MORRIS-WILKINS,

Plaintiff,

v.

C. RAY JOYNER, et al.,

Defendants.

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ORDER

This matter comes before the court on Plaintiff's motion to voluntarily dismiss her claims against Defendant Toyota Motor Credit Corporation without prejudice [DE 139]. At this stage of the proceedings, Plaintiff has a right to dismissal without prejudice. *See* Fed. R. Civ. P. 41(a)(1)(A)(i). Although Rule 41 addresses dismissal of an "action", this court has previously held that "Rule 41(a) permits the voluntary dismissal of all claims against a particular defendant." *I.P. by Newsome v. Pierce*, No. 5:19-CV-228, 2020 WL 5535428, at *2 (E.D.N.C. Sept. 15, 2020). Accordingly, Plaintiff's motion [DE 139] is granted and her claims against Defendant Toyota Motor Credit Corporation are dismissed without prejudice.¹

In light of that disposition, Plaintiff's previously filed motion for leave to amend [DE 125], which only addresses claims against the same Defendant, is denied as moot.

SO ORDERED this 24th day of April, 2025.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE

¹ Alternatively, because Plaintiff proceeds pro se, the court liberally construes her motion as a motion for leave to amend and grants such motion to the same extent as the relief granted here.